

PATENT COOPERATION TREATY
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REC'D 09 JAN 2006

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 12494952	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/AU2004/001756	International filing date (day/month/year) 15 December 2004	Priority date (day/month/year) 27 January 2004
International Patent Classification (IPC) or national classification and IPC		
<p>Int. Cl.</p> <p style="text-align: center;"> <i>B32B 21/13</i> (2006.01) <i>B27N 3/02</i> (2006.01) <i>B32B 21/14</i> (2006.01) <i>B27D 1/00</i> (2006.01) <i>B32B 21/02</i> (2006.01) </p>		
Applicant LIGNOR PTY LTD, et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 5 October 2005	Date of completion of this report 21 December 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer M. BREMERS Telephone No. (02) 6283 2052

Box No. I **Basis of the report**

1. With regard to the language, this report is based on:

☒ The international application in the language in which it was filed☐ A translation of the international application into
translation furnished for the purposes of:

, which is the language of a

☐ international search (under Rules 12.3(a) and 23.1 (b))☐ publication of the international application (under Rule 12.4(a))☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):☐ the international application as originally filed/furnished☒ the description:

pages 1-5 as originally filed/furnished

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages* 6 as amended (together with any statement) under Article 19

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

☒ the drawings:

pages 1 as originally filed/furnished

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.3. ☐ The amendments have resulted in the cancellation of:☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2004/001756

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-10	YES
	Claims	NO
Inventive step (IS)	Claims 1-10	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-10	YES
	Claims	NO

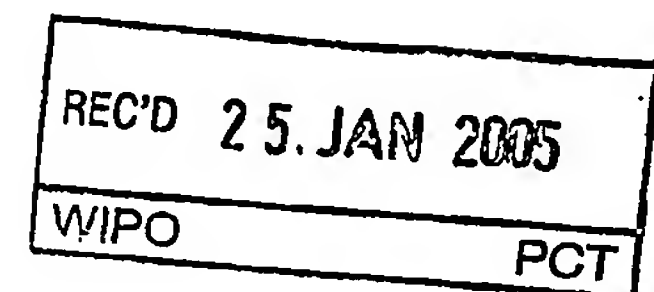
2. Citations and explanations (Rule 70.7)

None of the citations listed in the International Search Report specifically disclose the use of eucalypts for producing hardwood strand products. Therefore, the claims are novel. However, these documents each disclose the use of hardwoods but exemplify other species. Eucalypts are well known to be hardwoods but the applicant has found that eucalypts provide enhanced properties in comparison to other hardwoods when used in stranded wood products. Therefore, the claims are inventive.

CLAIMS:

1. A hard wood strand product including substantially aligned strands of one or more eucalypts bonded together with a binder including an isocyanate or phenolic resin.
- 5 2. A product as in claim 1 wherein the eucalypts are selected from the species such as Bluegum (E. Globulus), Karri (E. Diversicolor), Sydney Bluegum (E. Saligna), Marri (E. Calophylla) or Jarrah (E. Marginata).
- 10 3. A product as in claim 1 wherein the binder is a polymeric methane di-isocyanate resin and includes a wax.
4. A product as in claim 1 wherein the strands have an average length between 145mm and 180mm.
- 15 5. A product as in claim 1 wherein the strands have an average width of about 10 to 25mm.
6. A product as in claim 1 wherein the strands have an average thickness between 20 0.5mm and 1.5mm.
7. A product as in claim 1 wherein at least 70% of the strands are fully aligned.
8. A product as in claim 1 having a density of between 600kg/m^3 to 850kg/m^3 .
- 25 9. A product according to claim 1 which is a lumber or board product.
10. A product according to claim 1 having a modulus of elasticity $\geq 14,000\text{ N/mm}^2$.

PATENT COOPERATION TREATY



From the:
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: Davies Collison Cave PO Box 2219 MILTON BUSINESS CENTRE QLD 4064			Date of mailing <i>(day/month/year)</i> <div style="text-align: right; font-weight: bold;">20 JAN 2005</div>
Applicant's or agent's file reference 12494952		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/AU2004/001756	International filing date <i>(day/month/year)</i> 15 December 2004	Priority date <i>(day/month/year)</i> 27 January 2004	
International Patent Classification (IPC) or both national classification and IPC Int. Cl. ⁷ B32B 21/13, 21/14, 21/02, B27D 1/00, B27N 3/02			
Applicant <div style="text-align: center;">LIGNOR PTY LTD et al</div>			

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer M. BREMERS Telephone No. (02) 6283 2052
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001756

Box No. I

Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001756

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	YES
	Claims 1-9	NO
Inventive step (IS)	Claims	YES
	Claims 1-9	NO
Industrial applicability (IA)	Claims 1-9	YES
	Claims	NO

2. Citations and explanations:

None of the citations listed in the International Search Report specifically disclose the use of eucalypt for producing hardwood strand products. Therefore, the claims are novel. However, these documents each disclose the use of hardwoods but exemplify other species. Eucalypts are well known to be hardwoods and so it is not considered to be inventive to substitute eucalypts for the species of hardwoods exemplified in the citations.

The features defined in the dependent claims are either disclosed in the citations or are features that cannot be considered to involve an inventive step.

Note that the publication date of the DeltaStrand Triangular Lumber (TSL) citation is unknown.